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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,476	06/14/2006	Dong Hoi Kim	56587.23	7029
27128 7590 08/06/2009 HUSCH BLACKWELL SANDERS LLP 190 Carondelet Plaza Suite 600 ST. LOUIS, MO 63105				
EXAMINER OWYANG, MICHELLE N				
ART UNIT 2168		PAPER NUMBER		
NOTIFICATION DATE 08/06/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pto-sl@huschblackwell.com

**Advisory Action  
Before the Filing of an Appeal Brief**

<b>Application No.</b> 10/596,476	<b>Applicant(s)</b> KIM ET AL.
<b>Examiner</b> MICHELLE OWYANG	<b>Art Unit</b> 2168

***--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***

THE REPLY FILED 22 July 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
 Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b) ☐ They raise the issue of new matter (see NOTE below);  
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
 5. ☒ Applicant's reply has overcome the following rejection(s): 35 USC 112, second paragraph.  
 6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
 The status of the claim(s) is (or will be) as follows:  
 Claim(s) allowed: \_\_\_\_\_  
 Claim(s) objected to: \_\_\_\_\_  
 Claim(s) rejected: 21-24, 30-33 and 35-37.  
 Claim(s) withdrawn from consideration: \_\_\_\_\_

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
 13. ☐ Other: \_\_\_\_\_

/Kuen S Lu/  
Primary Examiner, Art Unit 2156

Continuation of 11, does NOT place the application in condition for allowance because: Applicant's arguments filed on 7/22/2009 have been fully considered, the rejection made under 35 USC 112, second paragraph, is withdrawn in view of the claim amendment; however, the arguments on the rejections made under 35USC 103 are not persuasive, thus the rejections made under 35USC 103 remained.

Applicant argued that "neither Chandrasekar nor Yoo nor Piscitello nor their combination disclose or teach all the elements and limitations of claim 21", in page 20 of remarks. However, Chandrasekar discloses key phrases are associated with concepts, and both are stored in a database; a concept may be a topic; and key phrases for the concept are phrases of one or more word associated with the concept, see [0013], [0035], [0057]. Chandrasekar also discloses searching for concepts associated with the inputted key phrase, see [0013], [0039]; and updating the query log for future use on determining popularity of the key phrases and concepts based on a number of times a query phrase appears in the query log, see [0014], [0017], [0058]. Based on the broadest reasonable interpretation, it would have been reasonable for one ordinary skilled in the art to interpret that Chandrasekar discloses a category database, keyword database, searching and updating those databases since concept can be interpreted as category and key phrases can be interpreted as keywords. Chandrasekar does not explicitly disclose associating a representative keyword included in a first keyword group associated with a first representative category with a second keyword group associated with a second representative category to reflect current societal interest, and providing user with information showing the popularity of keywords related to the search request. However, Yoo discloses providing user with information showing the popularity of words related to search request and associated with current societal interest utilizing buzz values determination and statistically measurements, see Col. 5, lines 1-5, Col. 14, lines 6-9; Fig 9-14; also Piscitello discloses search terms are associated with multiple categories, and the associated category are related to the current societal interest, e.g. Stanford is associated with the categories of regional, society, and the news on Stanford is presented top of the page, see Col. 4, lines 16-23, Fig 2. Since Chandrasekar, Yoo and Piscitello are all directed to provide relevant information to the user, and all of them are from the same field of endeavor, it would have been obvious for one ordinary skilled in the art to modify and combine their teachings in order to provide updated relevant search results to the user. Thus, it is believed that all claimed features have been properly addressed, see Examiner's communication mailed on 6/4/2009 for detail.